

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2014-001893

03/18/2014

HONORABLE KATHLEEN MEAD

CLERK OF THE COURT

L. Wistuber

Deputy

IN RE THE MARRIAGE OF  
RACHEL HALL

SHELLEY KAYS HUBBARD

AND

SCOTT WILLIAM HALL

SCOTT WILLIAM HALL

2643 E WALTANN LN

PHOENIX AZ 85032

FAMILY COURT SERVICES-CCC

MINUTE ENTRY

10:05 a.m. (Courtroom 604) This is the time set for Resolution Management Conference on 1) Mother's January 17, 2014 Petition for Dissolution of Non-Covenant Marriage With Minor Child, 2) Father's February 11, 2014 Motion for Order to Appear for Pre-Decree Temporary Orders, and 3) Mother's March 10, 2014 Emergency Motion for Pre-Decree Temporary Orders. Petitioner/Mother is present and is represented by counsel, Shelley Kays Hubbard. Respondent/Father is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Counsel for Mother advises the Court that the parties have reached a partial agreement, which resolves the issues raised in both parties' motions for temporary orders. The agreement has been drafted in writing and has been signed by both parties this date (which is filed herein by the Clerk this 18<sup>th</sup> day of March, 2014). The agreement is further clarified/fully set forth on the record in the presence of both parties and counsel and may be summarized as follows:

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- The marital residence located at 6950 East Dixileta Drive, Scottsdale, Arizona, 85266, shall be listed and sold by realtor Bob Nathan. The parties shall fully cooperate with Mr. Nathan as requested to effectuate the sale of the marital residence.
- Until the sale of the marital residence, Mother shall have exclusive use of same. Father will move out of the marital residence today.
- On a permanent basis, Mother shall have sole legal decision making authority of the minor child, Jake William Hall (DOB: 11/18/2002).
- On a temporary basis, Mother will be designated primary residential parent of Jake, with Father having parenting time at will, as long as such parenting time is scheduled in advance with Mother. However, Father will not have overnights with Jake or pick up Jake from school.
- Father will continue to receive psychiatric treatment and take all medications as prescribed. At Mother's request, Father shall submit to testing to prove he is taking his medications as prescribed.
- Father will make every effort to receive his psychiatric treatment by a professional covered by his health insurance. Mother will assist with copays or medication if Father is unable to afford it.
- Neither party will be required to pay child support or spousal maintenance at this time.
- Commencing April 1, 2014, Father will be responsible for payment of the car payment and insurance on the 2014 Ford Focus, Father's cell phone, and his own individual expenses.

Rachel Hall and Scott William Hall are sworn.

Both parties testify that the agreement stipulated to on the record is their agreement, that they understand the agreement and believe it to be in the best interests of the minor child at this time, that no one has threatened, promised or coerced them in any way to get them to reach the agreement, and that the terms are fair and equitable.

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**THE COURT FINDS** that the agreement reached by the parties this date is in the best interests of the child, is fair and equitable, constitutes a binding agreement under Rule 69 of the Arizona Rules of Family Law Procedure (ARFLP), and is enforceable as such.

**TRIAL SETTING**

**IT IS ORDERED** setting Trial to the Court on May 29, 2014 at 9:00 a.m. (time allotted: 90 minutes) in this division before:

**The Honorable Kathleen Mead  
Maricopa County Superior Court  
Central Court Building  
201 W. Jefferson  
6th Floor, Courtroom 604  
Phoenix, AZ 85003**

Failure of a party to appear at the stated time for the hearing may result in the court allowing the party who does appear to proceed by default. Failure of both parties to appear on time may result in this action being dismissed.

**IMPORTANT: YOU MUST FILE A PRETRIAL STATEMENT AND SUBMIT YOUR EXHIBITS AS DESCRIBED BELOW IN ADVANCE OF THE TRIAL. FAILURE TO COMPLY MAY RESULT IN DENIAL OF SOME OR ALL OF THE RELIEF REQUESTED.**

**IT IS FURTHER ORDERED:**

1. **Pretrial Statements.** The parties shall file and provide this Division and the opposing party with a copy of a **Joint Pretrial Statement** or **Separate Pretrial Statements** pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than 5 days before trial. If US mail is used to provide the pretrial statement, enough time should be taken to ensure that the Court and the opposing party receive the document no later than 5 days before trial.

The Pretrial Statement shall include:

- a. All information required by Rule 76.
- b. A description of each disputed issue the court must decide, and a statement of each party's position on that issue. Absent good cause shown, failure to list an issue in the Pretrial Statement will be deemed a waiver of that issue.

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c. If there are disputed legal decision making (formerly “legal custody”) or parenting time (formerly “visitation”) issues, a specific proposal for legal decision making and parenting time.

d. If there are disputed child support issues, a current Parent’s Worksheet for Child Support Amount completed by each party.

e. If there are disputed issues regarding property and debt, a detailed Inventory of Property and Debts, including each party’s proposed division of property and debts.

f. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.

g. A list of witnesses to be called at trial. Absent good cause shown, failure to list a witness will result in that witness being excluded.

h. A list of exhibits to be used at trial. Absent good cause shown, failure to list an exhibit will result in that exhibit being excluded.

i. A list of objections to the other party’s exhibits. Any objection not listed in the Pretrial Statement will be deemed waived.

2. **Trial Exhibits**. Exhibits for use at trial shall be delivered to the Clerk of this Division at least **five (5) business days** before trial for marking, not including weekends, holidays or the day of the proceeding. **If exhibits are not delivered to the Clerk five business days in advance, you may be required to use trial time for the marking of exhibits.** In addition, each party shall deliver a copy of his/her exhibits to the opposing parties at least five business days before trial. Duplicate exhibits shall not be presented.

If US mail is used to provide the trial exhibits, enough time should be taken to ensure that the Court and the opposing party receive the exhibits no later than 5 days before trial.

This Division requests that counsel and the parties **DO NOT PROVIDE** an extra copy of exhibits to the judge on the day of the trial.

3. **Witnesses** – Be aware that due to time limitations and the importance of each party’s testimony, there may be insufficient time to call witnesses at trial. All witnesses must be disclosed in advance to the opposing party as provided by the Arizona Rules of Family Law

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Procedure. Unless otherwise instructed by the Court, **DO NOT BRING MINOR CHILDREN TO THE COURT AT ANY TIME.**

4. **Time Allotted.** Each party presumptively will be allowed half of the available time to present all direct, cross and redirect examination and any argument. For each hour of trial time, this court generally allocates 25 minutes to each party. The parties are expected to complete the trial in the allotted time. If a party believes that more trial time is needed, he or she must file a motion at least 30 days before the trial setting forth good cause to enlarge the trial time. Failure to timely file such a motion will be deemed a waiver of any argument that more trial time is needed.

5. **Settlement.** Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the court as required by Rule 70, Arizona Rules of Family Law Procedure. If the parties reach a full settlement before trial, the court will vacate the trial only if (1) it receives a Notice of Settlement pursuant to Rule 70, Arizona Rules of Family Law Procedure, or (2) both parties inform the court of the settlement in an on-the-record telephonic conference. Oral notification to court staff or voicemail messages left with the court are insufficient. If the parties desire to place agreements on the record, they should contact this Division to schedule a telephonic conference.

6. **Continuances.** Motions to continue the trial filed more than 30 days before trial will not be granted absent a showing of good cause. Motions to continue the trial filed less than 30 days before trial will not be granted absent a showing of extraordinary circumstances.

7. **Disclosure and Discovery.**

a. Both parties shall complete all disclosure required by Rules 49, 50 and 91, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits at least 30 days prior to trial.

b. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure shall be completed 15 days before trial.

8. **Discovery And Other Pre-Trial Disputes.** If the parties have a dispute concerning discovery matters, or any other pre-trial dispute that requires court intervention, they shall contact this division to schedule a telephonic conference before filing formal discovery motions. Before such telephonic conference, counsel or the parties shall personally consult with each other to either resolve the dispute or narrow the issues.

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9. **Trial Record.** All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division five (5) business days before the scheduled hearing.

**LET THE RECORD REFLECT** the courtroom clerk has updated Respondent's address in ICIS as reflected on the Updated Address Information form filed this date.

**IT IS FURTHER ORDERED** signing this minute entry as a formal written Order of the Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/ s / HONORABLE KATHLEEN MEAD

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JUDICIAL OFFICER OF THE SUPERIOR COURT

10:17 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.